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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,420	10/25/2001	Chen Feng	ICM-P006	2578
7590 05/18/2005 Fernandez & Associates, LLP PO Box D Menlo Park, CA 94026-6402			EXAMINER MERLINO, AMANDA H	
			ART UNIT 2877	PAPER NUMBER

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/002,420

Applicant(s)

FENG, CHEN

Examiner

Amanda H. Merlino

Art Unit

2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 2/11/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/25/01</u> . | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-30 rejected under 35 U.S.C. 102(e) as being clearly anticipated by Shiratsuki et al (6,657,185).

With regards to claims 1-12 and 25-27, Shiratsuki et al teach of a pattern detector for capturing images, irregular patterns and or finger printing (col 1; lines 7-9) in accordance with figure 12 comprising an image receiving panel (2b), a light emitting diode (1) provided perpendicular to the plane of the image captured, an anamorphic optical lens (25, 26 and 27) wherein the lens are cylindrical and having at least two magnification power (longitudinal and lateral) and a imaging sensor (3) wherein the image sensor captures a light reflection from an image deposited on the image receiving panel (2b) optically compensated by the anamorphic optical lens (25, 26 and 27).

With regards to claims 13-24 and 28-30 Shiratsuki et al teach of a pattern detector for capturing images, irregular patterns and or finger printing (col 1; lines 7-9) in accordance with figure 12 comprising an image capturing panel (2b), a light emitting diode (1) provided perpendicular to the plane of the image captured, an anamorphic optical lens (25, 26 and 27) wherein the lens are cylindrical and having at least two magnification power (longitudinal and lateral) and a imaging sensor (3) wherein the image sensor captures a light reflection from an image deposited on the image capturing panel (2b) optically compensated by the anamorphic optical lens (25, 26 and 27), a folding mirror (2c) to fold a light reflection from an image deposited on the image capturing panel (2b) to the anamorphic lens and a bending mirror (18) to bend light reflection from the anamorphic lens to the imaging sensor (3) (see figure 7).

#### ***Response to Arguments***

Applicant's arguments filed 2/11/05 have been fully considered but they are not persuasive. Applicant argues on page 14 of the arguments that "the illuminating path does not lie in the principal plane." Examiner respectfully disagrees. Examiner directs applicant's attention to figure 7 of the Shiratsuki et al reference. It clearly shows the folded beam reflected from the mirror (2c) and the illuminating light path does not lie in the same plane and thus the illuminating light path does not lie in a principal plane of the folded beam path.

Furthermore, applicant argues on page 15 of the arguments that Shiratsuki et al does not disclose "the illuminating path is substantially perpendicular to the principal plane and altering ray direction to be much greater than 90 degrees, closer to 180


degrees." Examiner respectfully disagrees. Examiner once again directs applicant's attention to figure 7 of the Shiratsuki et al reference. It clearly shows that the illuminating path is substantially perpendicular to the principal plane and the folding mirror (2c) folds the folded light path by substantially 180 degrees.

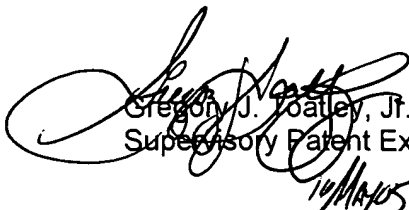
### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amanda H. Merlino whose telephone number is 571-272-2421. The examiner can normally be reached on Monday and Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on 571-272-2800 ext 77. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Amanda H Merlino   
Patent Examiner  
Art Unit 2877  
May 5, 2005

  
Gregory J. Toatley, Jr.  
Supervisory Patent Examiner  
10 MAY 05